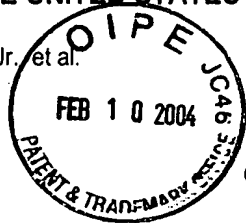


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Loyal M. Johnson, Jr. et al.

Serial No.: 10/756,875

Filing Date: 01/13/2004

Title: **ANTIMICROBIAL SURFACE PREPARATION AND METHOD FOR PRODUCING THE SAME**ASSISTANT COMMISSIONER FOR PATENTS AND TRADEMARKS
Alexandria, VA 22313-1450

Examiner: Not Yet Accorded Confirmation No.: Not Yet Accorded

Group Art Unit: Not Yet Accorded

INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement is submitted:



under 37 CFR 1.97(b), or

(Within three months of filing national application; or date of entry of international application; or before mailing date of first office action on the merits; whichever occurs last)



under 37 CFR 1.97(c) together with either a:



Statement under 37 CFR 1.97(e), or



a \$180.00e under 37 CFR 1.17(p), or

(After the CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)



under 37 CFR 1.97(d) together with a:



Statement under 37 CFR 1.97(e)(1) or (2), and



a \$180.00 petition fee set forth in 37 CFR 1.17 (p)

(Filed after final action or notice of allowance, whichever occurs first, but before payment of the issue fee)



a check in the amount of \$_____ is enclosed herewith.



Please charge to Deposit Account No. 50-0982 the sum of \$_____.

At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account **50-0982** pursuant to 37 CFR 1.25.

Applicant(s) submit herewith Form PTO-1449 - Information Disclosure Citation together with copies of patent publications or other information of which applicant(s) are aware, which applicant(s) believe(s) may be material to the examination of this application and for which there may be a duty to disclose in accordance with 37 CFR 1.56.



A concise explanation of the relevance of foreign language patents, foreign language publications and other foreign language information listed on PTO Form 1449, as presently understood by the individual(s) designated in 37 CFR 1.56(c) most knowledgeable about the content is given on the attached sheet, or where a foreign language patent is cited in a search report or other action by a foreign patent office in a counterpart foreign application, an English language version of the search report or action which indicates the degree of relevance found by the foreign office is listed on form PTO 1449 and is enclosed herewith.

It is requested that the information disclosed herein be made of record in this application.

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail in an envelope addressed to:
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Date of Deposit: 02/10/2004
Label No. EL 964692405 US
Typed Name: Bruce E. DahlSignature: Bruce E. Dahl

Respectfully submitted,

By Bruce E. DahlBruce E. Dahl, Reg. No. 33,670
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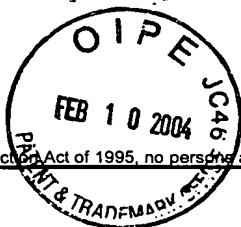
Sheet	1	of	2
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Application Number	10/756,875
Filing Date	01/13/2004
First Named Inventor	Loyal M. Johnson, Jr
Art Unit	Not yet accorded
Examiner Name	Not yet accorded
Attorney Docket Number	Phelps US-28

[illegible][illegible]Date
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, Washington, DC 20231.**

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**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/756,875
Filing Date	01/13/2004
First Named Inventor	Loyal M. Johnson, Jr
Art Unit	Not yet accorded
Examiner Name	Not yet accorded
Attorney Docket Number	Phelps US-28

Sheet 2 of 2

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Microbial Removal and Inactivation from Water by Filters Containing Magnesium Peroxide, Gerba et al., J. Environ. Sci. Health, A23(1), 1988, pages 41-58.	
		Inactivation of bacteriophage MS-2 and poliovirus in copper, galvanized and plastic domestic water pipes, Yahya, et al., Int'l Journal Environmental Health Research 1, 1991, pages 76-86.	
		The Molecular Mechanisms of Copper and Silver Ion Disinfection of Bacteria and Viruses, Thurman, et al., CRC Critical Reviews in Environmental Control, Volume 18, Issue 4, (1989), pages 295-315.	
		Efficacy of Copper and Silver Ions and Reduced Levels of Free Chlorine in Inactivation of Legionella pneumophila, Landeen, et al., Applied and Environmental Microbiology, Vol. 55, No. 12, Dec. 1989, pages 3045-3050.	
		SilverGuard Duct & Fittings, www.mcgillairflow.com, McGill AirFlow Corporation, 9/19/2003, 6 pages.	

Examiner Signature	Date Considered
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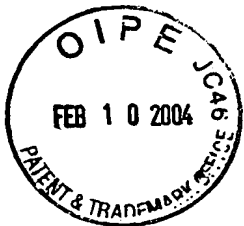
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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02/12-04



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:)	
Loyal M. Johnson, Jr., et al.)	
Serial No.: 10/756,875)	Confirmation No.: Not yet assigned
Filing Date: 01/13/2004)	Examiner: Not yet assigned
For: ANTIMICROBIAL SURFACE)	Group Art Unit: Not yet assigned
PREPARATION AND METHOD FOR)	
PRODUCING THE SAME)	
Docket No.: Phelps US-28)	

CERTIFICATE OF EXPRESS MAILING

I hereby certify that the attached **Information Disclosure Statement/Forms PTO/SB/08A and PTO/SB/08B with five- (5) non-patent reference documents; and Post card for return by the United States Patent and Trademark Office**, are all being deposited with the United States Postal Service addressed to the Commissioner for Patents, Mail Stop Patent Application, P.O. Box 1450, Alexandria, VA 22313-1450, via Express Mail No. EL 964692405 US, on this 10th day of February 2004.

By: Bruce E. Dahl
Bruce E. Dahl, Reg. No. 33,670